



**Notice to the Plaintiff and Defendant: A small claims lawsuit has been filed in Justice Court**

**READ THIS NOTICE CAREFULLY**

1. The small claims process is an inexpensive, quick, and informal way to resolve civil disputes up to \$3,500.
2. Persons in a lawsuit are called "parties." There is a "Plaintiff" and a "Defendant." A "Plaintiff" is someone who files a lawsuit against a "Defendant."
3. Individuals represent themselves in a small claims lawsuit. There usually are no attorneys. One spouse may represent both spouses. A full-time corporate officer or authorized employee may represent a corporation; an active general partner or an authorized full-time employee may represent a partnership; an active member or an authorized full-time employee may represent an association; and any other organization may be represented by one of its active members or authorized full-time employees.
4. You do not have a right to an appeal from a small claims judgment. Either party may request a transfer of the lawsuit from the Small Claims Division to the regular Civil Division of the justice court. A transfer will allow parties to:
  - have an attorney;
  - file a counterclaim for more than \$3,500;
  - file motions that are not permitted in small claims lawsuits;
  - request a jury trial; and
  - have the right to appeal.
5. You must properly complete your court papers and file them when they are due. Court staff can only provide information regarding the jurisdiction, venue, pleadings, and procedures of the small claims division.
6. You must follow the Arizona Revised Statutes and Rules of Procedure for Small Claims Cases that apply in your lawsuit. The statutes and rules are available in many public libraries and are also online at the [Arizona State Legislature](#) webpage, and at the [Arizona Judicial Branch Court Rules](#) webpage.
7. Some filings require a filing fee. If either party cannot afford to pay a filing fee, the party can request a fee waiver or deferral from the court.
8. PLAINTIFF: When you file your lawsuit, the court will provide you with a summons and a copy of this notice. A lawsuit cannot proceed without proper service. You must serve these items and a copy of your complaint on the defendant. Methods of service are certified mail, return receipt or private process server. If your case is not concluded within 180 days of filing, the court will dismiss your case unless it finds a good cause.
9. DEFENDANT: You may file a counterclaim if you wish. A defendant who files a counterclaim must mail a copy to the plaintiff and must pay a filing fee.
10. BOTH PARTIES: The hearing date and time are included on the summons. Requests for reasonable accommodations for persons with disabilities should be made to the court as soon as possible. In cases where an interpreter is needed, upon request, one will be provided. Both parties MUST appear at the small claims hearing and provide supporting evidence for their claims and defenses.
11. A justice of the peace or a hearing officer will conduct the hearing. You should be prepared to clearly present your evidence. If you are permitted to appear telephonically, all evidence must be submitted to the court prior to the hearing. **If you fail to appear at a hearing, the court may enter a judgment against you.** To assure that you receive these notices, you must keep the court informed, in writing, of your current address and telephone number until the lawsuit is over.
12. PLAINTIFF: You have a responsibility to notify the court if the lawsuit settles before the hearing date.